

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ORDER

----- x  
UNITED STATES OF AMERICA,

Plaintiff,

- against -

COUNTY OF SUFFOLK,

Defendant.  
----- x

Civil Action No.  
CV 2:13-7183  
(Seybert, J.)  
(Tomlinson, M.J.)

**STIPULATION OF TERMINATION OF CONSENT JUDGMENT**

WHEREAS Plaintiff, United States of America, by the authority of the Attorney General and on behalf of the United States Environmental Protection Agency ("EPA"), entered into a Consent Judgment with the Defendant, County of Suffolk ("Suffolk County"), which was entered by this Court and thereby made effective on February 24, 2014 ("Effective Date").

WHEREAS the Consent Judgment resolves claims of the United States against Suffolk County for alleged violations of the requirements of (a) the Resource Conservation and Recovery Act ("RCRA") regulations governing USTs, set forth at 40 CFR Part 280; and (b) the federally enforceable New York State hazardous waste regulations set forth at 6 N.Y.C.R.R. § 372.2(a)(2) governing disposal of spent fluorescent lamps.

WHEREAS the Consent Judgment required Suffolk County to, among other things: (a) pay a civil penalty of \$500,000; (b) fund a Supplemental Environmental Project ("SEP") in the amount of \$1,500,000 to acquire an interest in land, and to manage such land and any associated ecological resources, into perpetuity, to protect and/or enhance groundwater; (c) maintain compliance with RCRA requirements for all of its underground storage tanks and with NYS regulations in its handling of spent fluorescent lamps; and (d) submit regular reports to EPA for four years to demonstrate Suffolk County's compliance.

1 of 3

WHEREAS, Suffolk County represents that it has complied with the Consent Judgment and is in compliance with RCRA's regulations governing USTS and the New York State hazardous waste regulations set forth at 6 N.Y.C.R.R. § 372.2(a)(2) governing the handling of spent fluorescent lamps.

WHEREAS, EPA has determined, based on Suffolk County's submissions, that the Suffolk County has satisfactorily completed performance of its compliance and reporting obligations, and has fulfilled all other obligations of this Consent Judgment to date, including its payment and SEP obligations under the Consent Judgment;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties  
that the Consent Judgment between the United States and Suffolk County is hereby terminated.

SO ORDERED this 5<sup>th</sup> day of March, 2020.

JOANNA SEYBERT

THE HONORABLE JOANNA SEYBERT  
United States District Judge  
Eastern District of New York

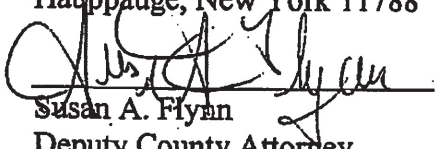
Dated: Brooklyn, New York  
February 24, 2020

RICHARD P. DONOGHUE  
United States Attorney  
Eastern District of New York  
*Attorney for Plaintiff*  
271 Cadman Plaza East  
Brooklyn, New York 11201

By: /s/ MATTHEW SILVERMAN  
Digitally signed by  
MATTHEW SILVERMAN  
Date: 2020.02.24 10:25:13  
-05'00'  
Matthew Silverman  
Assistant United States Attorney  
(718) 254-6409  
Matthew.Silverman@usdoj.gov

Dated: Hauppauge, New York  
Feb. 20, 2020

Suffolk County Attorney's Office  
Suffolk County Department of Law  
H. Lee Dennison Building  
100 Veterans Memorial Highway  
PO Box 6100  
Hauppauge, New York 11788

By:   
Susan A. Flynn  
Deputy County Attorney  
(631) 853-5134  
Susan.Flynn@suffolkcountyny.gov

*Stipulation of Termination of Consent Judgment in U.S. v. County of Suffolk, CV 2:13-7183(JS)(AKT)*